

Joint Application for Approval for Global Capacity
Direct, LLC to Transfer Assets to GC Pivotal, LLC

22 9/10/1
BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

COPY
Posted: 6/6/11
Dept: S.A
Date: 4/8/11
Time: 4:50

DOCKET

NUMBER: 2011 - 108 - C

Submitted by: Angela Janssen
Address: 1720 Windward Concourse, Suite 115
Alpharetta, GA 30005

SC Bar Number: _____
Telephone: (678) 775-2253
Fax: (678) 775-1193
Other: _____
Email: ajanssen@telecomcounsel.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

- ☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously
☐ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input checked="" type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

RETURN DATE: 4/15/11
SERVICE: ok

REC'D
APR 08 2011
PSC SC
CLERK'S OFFICE

Lance J. M. Steinhart, P.C.

Attorney At Law
1720 Windward Concourse
Suite 115
Alpharetta, Georgia 30005

Also admitted in New York
And Maryland

Telephone: (770) 232-9200
Facsimile: (770) 232-9208

April 7, 2011

VIA OVERNIGHT DELIVERY

Ms. Jocelyn G. Boyd
Chief Clerk of the Commission
The Public Service Commission
State of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210
(803) 896-5100

RECEIVED
APR 08 2011
P.C.S.C.
CLERK'S OFFICE

2011 APR -8 AM 9:22
SC PUBLIC SERVICE
COMMISSION

RECEIVED

RE: Global Capacity Direct, LLC
Docket No. 2011-108-C and 2005-231-C
Notice of Filing and Hearing

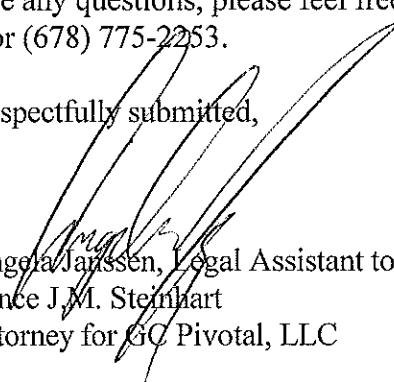
Dear Ms. Boyd:

Enclosed for filing are the original Affidavits of Publications and the dates published:

- | | | |
|----|---------------------------|----------------|
| 1. | The Florence Morning News | March 23, 2011 |
| 2. | The Greenville News | March 24, 2011 |
| 3. | The Post and Courier | March 23, 2011 |
| 4. | The State | March 23, 2011 |

I have enclosed an extra copy of this letter to be date-stamped and returned in the enclosed envelope provided. If you have any questions, please feel free to give me a call or e-mail at ajanssen@telecomcounsel.com or (678) 775-2253.

Respectfully submitted,


Angela Janssen, Legal Assistant to
Lance J.M. Steinhart
Attorney for GC Pivotal, LLC

Enclosures

cc: Dan Kardatzke

C. Lessie Hammonds – ORS via e-mail: lhammon@regstaff.sc.gov

Scott Elliott via e-mail: selliott@elliottlaw.us

Jackie Livingston via e-mail: jlivingston@elliottlaw.us



Carolina Publishing

Advertising Affidavit

P.O Box 100528
Florence, SC 29501
(843) 317-6397

Account Number

Date

March 23, 2011

SHAKER ADVERTISING
1100 LAKE ST
SHAKER BUILDING-MARIE LARSON
OAK PARK, IL 60301-1015

Date	Category	Description	Ad Size	Total Cost
03/23/2011	_Legal Notices	PUBLIC SERVICE COMMISSION OF SOUTH CAROL	1 x 105 L	337.75

Media General Operations, Inc.

Publisher of the
Morning News

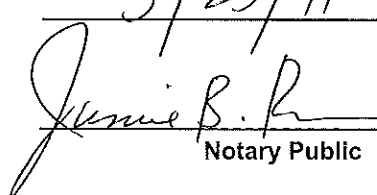
This is to certify that the attached PUBLIC SERVICE COMMISSION
was published in the Morning News in the City of Florence, state
of South Carolina on the following dates:

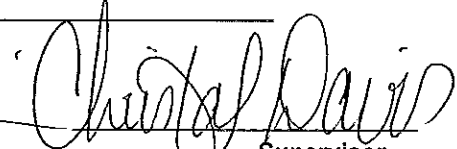
03/23/2011

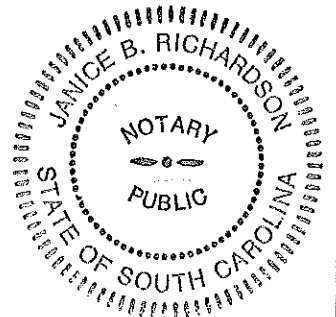
The First insertion being given ... 03/23/2011

Newspaper reference: 0000284257

Sworn to and subscribed before me this

3/23/11

Notary Public


Supervisor



State of South Carolina
My Commission expires MY COMMISSION EXPIRES DECEMBER 16, 2019

THIS IS NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

RECEIVED

2011 APR - 8 AM 9:22

SC PUBLIC SERVICE
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**PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
CLERK'S OFFICE
NOTICE OF FILING
DOCKET NOS. 2011-108-C & 2005-231-C**

Joint Application for Approval for Global Capacity Direct, LLC to Transfer Assets to GC Pivotal, LLC

Docket Summary: Application of Global Capacity Direct, LLC (f/k/a Vanco Direct USA, LLC) for a Certificate of Public Convenience & Necessity to Provide Resold Interexchange and Local Exchange Communications Services, and for Modified Alternative Regulation for Certain Interexchange Services and for Flexible Rate Structure for Local Exchange Service Offerings

Global Capacity Direct, LLC f/k/a Vanco Direct USA, LLC ("GCD"), Global Capacity Holdco, LLC ("GC Holdco"), and GC Pivotal, LLC ("Pivotal" or "Applicants"), have filed with the Public Service Commission of South Carolina ("Commission") an Application requesting authority to transfer assets of Global Capacity Direct, LLC to Pivotal, LLC. According to the Application, Pivotal is purchasing substantially all of the assets of GCD. Further, the Application states that the assignment of assets from GCD to Pivotal will have no adverse impact on customers. Thus, customers will continue to receive their existing services at the same rates, terms and conditions as at present. Also, according to the Application, upon closing of the proposed transaction, Pivotal will change its name to Global Capacity, LLC.

A copy of the Company's application can be found on the Commission's website at www.psc.sc.gov under Docket Nos. 2011-108-C & 2005-231-C. Additionally, a copy of the application is available from the Company's representative Scott Elliott, Esquire, Elliott & Elliott, P.A., 1508 Lady Street, Columbia, SC 29201.

A public hearing, if scheduled, will be held in the Commission's offices for the purpose of receiving testimony and other evidence from all interested parties regarding this application. The date and time of the hearing will be announced at a later date.

Any person who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before April 15, 2011, and indicate the amount of time required to address the Commission.

For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. Please refer to Docket Nos. 2011-108-C & 2005-231-C.

Any person who wishes to testify and present evidence at the hearing should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the Company's representative at the above address, on or before April 15, 2011, and indicate the amount of time required to address the Commission. Please refer to Docket Nos. 2011-108-C & 2005-231-C.

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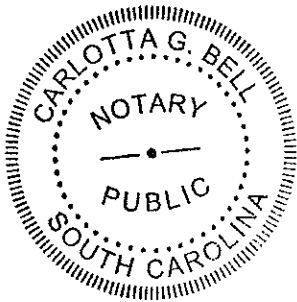
Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at www.psc.sc.gov. 3/15/11 (3/23/11)

AFFIDAVIT OF PUBLICATION

I, Susan Mullina, being the sales advertising agent for *The Greenville News*, do hereby testify that the attached legal advertisement was published in *The Greenville News* on 3/24/11.

Susan Mullina
Name of Sales Advertising Agent

Carlotta G. Bell
Carlotta G. Bell
Notary Public for the State of South Carolina
My Commission Expires July 22, 2020



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2011 APR -8 AM 9:22
SC PUBLIC SERVICE
COMMISSION

NOTICE OF FILING

DOCKET NOS. 2011-108-C & 2005-231-C

Joint Application for Approval for Global Capacity Direct, LLC to Transfer Assets to GC Pivotal, LLC

Docket Summary: Application of Global Capacity Direct, LLC (GCD) and Vanco Direct USA, LLC (VDC) for a Certificate of Public Convenience and Necessity to Provide Resold Interchange and Local Exchange Communications Services, and for Modified Alternative Regulation for Certain Interchange Services and for Flexible Rate Structure for Local Exchange Service Offerings.

Global Capacity Direct, LLC (GCD) and Vanco Direct USA, LLC (VDC), Global Capacity Holdco, LLC ("GC Holdco"), and GC Pivotal, LLC ("Pivotal" or "Applicants"), have filed with the Public Service Commission of South Carolina ("Commission") an Application requesting authority to transfer assets of Global Capacity Direct, LLC to Pivotal, LLC.

According to the Application, Pivotal is purchasing substantially all of the assets of GCD. Further, the Application states that the assignment of assets from GCD to Pivotal will have no adverse impact on customers. Thus, customers will continue to receive their existing services at the same rates, terms and conditions as at present. Also, according to the Application, upon closing of the proposed transaction, Pivotal will change its name to Global Capacity, LLC.

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0008 Legal Notices

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0008 Legal Notices

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PLEASE TAKE NOTICE that any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments in person to the Commission during the hearing. Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at www.psc.sc.gov. 3/15/11

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2011 APR - 8 6:09:22

SC PUBLIC SERVICE
COMMISSION

Ad Text:

4680092PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA CLERK'S OFFICE NOTICE OF FILING DOCKET NOS. 2011-108-C & 2005-231-C Joint Application for Approval for Global Capacity Direct, LLC to Transfer Assets to GCPivotal, LLC Docket Summary: Application of Global Capacity Direct, LLC (f/k/a Vanco Direct USA, LLC) for a Certificate of Public Convenience and Necessity to Provide Resold Interexchange and Local Exchange Communications Services, and for Modified Alternative Regulation for Certain Interexchange Services and for Flexible Rate Structure for Local Exchange Service Offerings Global Capacity Direct, LLC f/k/a Vanco Direct USA, LLC ("GCD"), Global Capacity Holdco, LLC ("GC Holdco"), and GCPivotal, LLC ("Pivotal" or "Applicants"), have filed with the Public Service Commission of South Carolina ("Commission") an Application requesting authority to transfer assets of Global Capacity Direct, LLC to Pivotal, LLC. According to the Application, Pivotal is purchasing substantially all of the assets of GCD. Further, the Application states that the assignment of assets from GCD to Pivotal will have no adverse impact on customers. Thus, customers will continue to receive their existing services at the same rates, terms and conditions as at present. Also, according to the Application, upon closing of the proposed transaction, Pivotal will change its name to Global Capacity, LLC. A copy of the Company's application can be found on the Commission's website at www.psc.sc.gov under Docket Nos. 2011-108-C & 2005-231-C. Additionally, a copy of the application is available from the Company's representative Scott Elliott, Esquire, Elliott & Elliott, P.A., 1508 Lady Street, Columbia, SC 29201. A public hearing, if scheduled, will be held in the Commission's offices for the purpose of receiving testimony and other evidence from all interested parties regarding this application. The date and time of the hearing will be announced at a later date. Any person who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before April 15, 2011, and indicate the amount of time required to address the Commission. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. Please refer to Docket Nos. 2011-108-C & 2005-231-C. Any person who wishes to testify and present evidence at the hearing should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the Company's representative at the above address, on or before April 15, 2011, and indicate the amount of

SC PUBLIC SERVICE
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NOTICEthat any person whowishes to have his other
comments consid-ered as part of the offi-cial record of
this pro-ceeding MUST presentsuch comments in per-son
to the Commissionduring the hearing. Persons seeking
infor-mation about the Com-mission's proceduresshould
contact theCommission at (803)896-5100 or visit
itswebsite atwww.psc.sc.gov. 3/15/11

THANK YOU FOR YOUR ADVERTISEMENT!

If I can be of further assistance, please call : 864-298-4100

Page 15 of 16

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SC PUBLIC SERVICE
COMMISSION

MARY ANDERSEN SHAKER ADVERTISING
1100 W. LAKE ST.
OAK PARK IL 60301

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COMMISSION

2011 APR - 8 PM 9-22

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AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

(copy attached)

appeared in the issues of said newspaper on the following day(s):

03/23/11 Wed PC
03/23/11 Wed CNW

at a cost of \$288.62
Account# 107537
Order# 499771
P.O. Number: A141040-GC

Subscribed and sworn to before
me this 29th day
of March
A.D. 2011

Keisha Eddings
advertising clerk

NOTARY PUBLIC, SC
My commission expires

PUBLIC SERVICE
COMMISSION OF
SOUTH CAROLINA

CLERK'S OFFICE

NOTICE OF FILING

DOCKET NOS.
2011-108-C &
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3/15/11. AD# 499771

THE STATE MEDIA CO., INC.
Columbia, South Carolina
publisher of
The State

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

Personally appeared before me, Ashleigh McAlister, Inside Cla
Manager of THE STATE, and makes oath that the advertisement

Notice of Filing – Docket #2011-108C & 2005-231-C
GC Pivotal

was inserted in THE STATE, a daily newspaper of general circula
the City of Columbia, State and County aforesaid, in the issue(s)

March 23, 2011

Ashleigh McAlister

Subscribed and sworn to before me

on this day April 7, 2011

Evelyn F. Harrison

Notary Public

My commission expires
March 10, 2013

"Errors- the liability of the publisher on account of errors in
or omissions from any advertisement will in no way exceed
the amount of the charge for the space occupied by the item in
error, and then only for the first incorrect insertion."

PUBLIC SERVICE
COMMISSION OF
SOUTH CAROLINA
CLERK'S OFFICE

**NOTICE OF
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DOCKET NOS. 2011-
108-C & 2005-231-C

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Docket Summary: Appli-
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Modified Alternative Reg-
ulation for Certain
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and for Flexible Rate
Structure for Local
Exchange Service Offer-
ings

Global Capacity Direct,
LLC W/a Vanco Direct
USA, LLC ("GCD"), Glob-
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COMMISSION